

REMARKS

The Examiner continues to reject applicants' invention under 35 USC § 112, second paragraph. The Examiner contends that applicants' earlier argument is "not clear and the Examiner believes that there is inconsistency in the claim language that a person of ordinary skill cannot readily understand it." The Examiner raises the question "[w]hen the valve flap is attached to the valve body, how is it not attached?" The Examiner states "[t]he applicant needs to make this clear."

As the Examiner is aware, the purpose of 35 USC § 112 is not to engage in a subjective inquiry as to whether or not claims can be made clearer. The purpose of the statute is to ensure that the claims set forth the metes and bounds of the inventive subject matter such that the claim scope can be readily understood by a person of ordinary skill. Applicants' claim indicates that the valve flap has a first portion that is attached to the valve body. The claim accordingly indicates that the flap is indeed attached to the valve body. The claim further indicates that the valve flap has a curvature from the first end to the second end *when* the valve flap is not attached to the valve body. The claim merely indicates that the flap would be curved *when* the valve flap is not so attached. And that this "curvature of the valve flap is at least partially flattened when the valve flap seals the valve opening". The flap is therefore curved before being mounted and is at least partially flattened out by the mounting and the contact when sealing the valve opening. Applicants accordingly fail to see any lack of clarity in the claim.

In regard to the anticipation rejection under 35 USC § 102, applicants disagree with the Examiner's interpretation of U.S. Patent 2,999,498 to Matheson. The Examiner asserts in the most recent Office Action that Figure 2 of Matheson describes a valve flap that is at least partially flattened when the valve flap seals the valve opening. The Examiner reproduces Matheson's Figure 2 in the most recent Office Action. In so doing, the Examiner draws an arrow to the center of the valve flap, contending that this area of the valve flap "is partially flattened once mounted to the valve seat 8." Applicants, however, have reviewed this portion of the Matheson disclosure and fail to find any teaching or suggestion of a valve flap that is partially flattened when mounted to the valve seat. Please note that the cord line that extends from a first end of the valve flap to a second end shows that the valve flap is curved between each of the valve ends. This cord line represents the edge of the flap along the flap perimeter. As is readily

apparent in Figure 2, the flap center is recessed beneath the valve edge at its greater depth where the Examiner has drawn the arrowhead. Because of the curvature that is imparted to the flap, the valve flap continues in a downward curvature until it reaches the point where the point where the Examiner has drawn the arrow. At that point, the valve flap curves upwardly towards the opposing edge. Nowhere do applicants see that the valve flap is partially flattened. In order to be partially flattened, the flap needs to be defined in cross-section by a straight line of some significance rather than a continuously curved line. A comparison of the cross-sectional line through the valve flap 9 to the cord line that defines the edge clearly shows that the valve flap is curved from one end to the other.

For the above reasons, applicants believe that this application is in condition to be allowed. Please further examine this application in light of the comments presented above.

Respectfully submitted,

November 12, 2009

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